



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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In re Application of
Martin Greppmair
Application No. 09/508,356
Filed: March 9, 2000
For: WORKING MACHINE WITH REDUCED
UPPER MASS VIBRATIONS

MAILED

JAN 15 2002

Office of the Director
Group 3600

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in reply to applicant's communication, filed in the United States Patent and Trademark Office on November 28, 2001, which will be treated as a petition to withdraw the holding of abandonment.

The petition is DISMISSED.

A review of the file record indicates that an Office action was mailed on May 24, 2001 wherein a three-month shortened statutory period for response was set. Although no Notice of Abandonment has been mailed, the application is abandoned for failure to respond to the Office action of May 24, 2001.

Petitioner has submitted a "courtesy copy" of the amendment mailed on August 24, 2001.

The evidence submitted within the petition is not sufficient to establish with reasonable certainty that the response was received in the USPTO in a timely manner. Any such petition must include the following requirements: (1) a copy of a response bearing a signed Certificate of Mailing which includes the date of signing; and (2) a statement attesting to the personal knowledge of mailing the response on the date indicated on the Certificate of Mailing (see 37CFR 1.8 and MPEP 512).

In this case, applicant's petition lacks item (2). A statement signed by Jodi A. Calderon, attesting on a personal knowledge basis to the timely mailing of the response on the date indicated on the Certificate of Mailing is required.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.181."

Telephone inquiries relative to this decision should be directed to Special Programs Examiner Kenneth Dorner at (703) 308-0866.

FDR
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